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SENATE

REPORT
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COLORADO RIVER BASIN AGRICULTURAL CONSERVATION PROGRAM

MAY 24 (legislative day, MAY 21), 1984.—Ordered to be printed

Mr. HELMS, from the Committee on Agriculture, Nutrition, and Forestry, submitted the following

REPORT

together with

ADDITIONAL VIEWS

[To accompany H.R. 3903]

The Committee on Agriculture, Nutrition, and Forestry, to which was referred the bill (H.R. 3903) to authorize the Secretary of Agriculture to develop and implement a coordinated agricultural conservation program in the Colorado River Basin, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

SHORT EXPLANATION

H.R. 3903 authorizes the Secretary of Agriculture to establish a voluntary cooperative salinity control program in the Colorado River Basin. This program would be designed to improve onfarm water management and reduce watershed erosion on both non-Federal lands and lands under the control of the Department of Agriculture in order to assist in controlling salinity in the Colorado River Basin. To this end, the Secretary of Agriculture may (1) identify salt-source areas within the Colorado River Basin, (2) develop plans for implementing measures to reduce the salt load in the Colorado River by improving onfarm irrigation water management and watershed erosion management practices, (3) provide technical and cost-sharing assistance to implement the salt-reducing measures, (4) conduct monitoring and evaluation, and (5) carry out related research, demonstration, and education activities.

Measures to be implemented in a salt-source area must be described in reports issued by the Secretary which are to be submitted to appro-

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priate congressional committees, the Governor of any affected State, and the Colorado River Basin Salinity Control Advisory Council. Funds may not be expended to implement the proposed measures until 60 days after submission of the report. The Secretary would also be required to submit a report to Congress by January 1, 1988, and every 5 years thereafter, on the operation of the program.

PURPOSE AND NEED FOR LEGISLATION

The purpose of H.R. 3903, as reported by the Committee, is to authorize the Secretary of Agriculture to develop and implement a coordinated salinity control program in the Colorado River Basin. The program authorized by the bill would be a voluntary cooperative program for onfarm salinity control in the Colorado River Basin.

The Colorado River Basin

The Colorado River Basin encompasses portions of seven States: Colorado, Wyoming, Utah, Nevada, New Mexico, California, and Arizona. The Colorado River flows over 1,400 miles from its head waters in Wyoming and Colorado and is a source of drinking water and energy for 14.5 million people. In addition to meeting individual water supply needs, the Colorado River is a source of water for irrigated agriculture. In fact, irrigated agriculture is the largest consumer of water from the river taking 85 to 90 percent of the river's water available to the Basin States. Approximately 2.6 million acres of private irrigated cropland and 44 million acres of non-Federal forest and rangeland use water from the Colorado River.

The water available for use from the Colorado River is overallocated due to the growing demands on the Colorado River's resources resulting from development in the Basin area. A combination of water allocation legislation and judicial interpretation has resulted in the allocation of 17.5 million acre/feet annually. However, recent scientific evidence shows that the historic flow of the Colorado River is only 13.5 million acre/feet annually. Because of concern about overallocation and the importance of the Colorado River for agricultural production, the Committee believes that more effective conservation measures are vital to the continuation of agricultural production in the Basin area.

The Salinity Problem

In addition to the problem of overallocation of the water of the Colorado River, the Committee is concerned about the increasing salinity level in the Colorado River. As salinity concentration increases, economic damage to downstream users occurs. For irrigated agriculture, salinity levels of 500 to 700 milligrams of salt per liter of water begin to have a detrimental impact on agricultural production, including decreased crop yields, increased water management costs, the need for adaptive practices such as changes in crop patterns to more salt-tolerant but lower income-producing crops, and implementation of improved drainage systems. In the municipal and industrial sectors, damage arises primarily from increased water treatment costs, accelerated pipe corrosion and appliance wear, and increased use of soap and detergents. Palatability of the drinking water also decreases. The level of salt concentration for safe drinking water is set at 500 milligrams of salt per liter of water by the Environmental Protection Agency.

Historically, the average annual salinity concentration of the Colorado River has ranged from 50 milligrams of salt per liter of water at the headwaters in Wyoming and Colorado to 762 milligrams of salt per liter of water at Imperial Dam in Arizona the last United States dam before the Colorado River reaches the Mexican border. Development of the Basin has contributed large amounts of salinity to the river so that in 1981 salinity concentration at Imperial Dam was 816 milligrams of salt per liter of water, a level well above the agricultural damage threshold. With the increased development of the Basin area, the salinity levels at Imperial Dam are expected to increase dramatically if no control measures are taken. The Department of the Interior estimates that, without control measures, the salinity concentration at Imperial Dam could reach 1089 milligrams per liter by the year 2010.

Increases in salinity concentration result from two processes: salt loading and salt concentration. Salt loading increases the amount of salt for a given amount of water. Salt concentration results from a decrease in the amount of water available to dilute a given amount of salt.

Salt loading occurs when mineral salts that are trapped in the soil are flushed out and carried into the Colorado River by return flow waters. Salt concentration results from a depletion of return flow waters back into the river, concentrating the salt in a smaller volume of water in the river system. Generally, the application of irrigation water results in an increased salinity level due to both salt loading and concentrating effects of depleting the water supply.

Approximately one-half of the salinity in the Colorado River is caused by natural sources; the remaining half is caused by human activities. Of the total salinity problem, 37 percent is caused by irrigated agriculture. The Committee believes that salinity control measures are important to agricultural production in the Basin area.

Agreement with Mexico

In addition to the concern over an increasing salinity concentration in the water of the Colorado River used by the United States, the Committee is concerned over such increased concentration and its effect on our international relations with Mexico. The United States has had a long-term working relationship with Mexico with regard to the Colorado River. In 1944, the United States and Mexico signed the "Treaty for the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande". The treaty, commonly referred to as the Mexican Water Treaty of 1944, allotted to Mexico 1.5 million acre/feet annually of the waters of the Colorado River.

As the Basin area developed and agricultural irrigation increased, the quality of the water delivered to Mexico deteriorated because of increasing salinity concentration. Mexico filed a formal protest in 1961 that the United States was in violation of the treaty. Although desalination measures were initiated that year, the Mexican government was not satisfied. In 1972, a special representative was appointed by President Nixon to develop a permanent solution to the salinity issue with Mexico. The result of this effort was Minute Number 242, an amendment to the Mexican Water Treaty of 1944. Minute Number 242 limited the salinity of the water delivered to Morelos Dam, the

first Mexican dam across the border, to no more than 115 milligrams of salt per liter of water, plus or minus 30 milligrams of salt per liter of water, greater than the salinity of Colorado River water at Imperial Dam, the United States dam closest to the Mexican border. Since the adoption of Minute Number 242, the quality of water delivered to Mexico has been in compliance with the standard. Enactment of H.R. 3903 will symbolize a reaffirmation of the United States' commitment to Mexico and assist in meeting our treaty obligations.

Current Department of Agriculture Activities

In 1974, Congress enacted the Colorado River Basin Salinity Control Act, Public Law 93–320. The Act directs the Secretary of the Interior, working with the Department of Agriculture and the Environmental Protection Agency, to investigate, plan, design, and install projects that would address the salinity problems of the Colorado River. The Act contains two titles: title I of the Act authorizes salinity control projects between Imperial Dam and the Mexican border and, therefore, is primarily focused on maintaining the water quality agreement with Mexico as established in Minute Number 242; title II of the Act authorizes salinity control projects above the Imperial Dam by both the Department of Agriculture and the Department of the Interior.

Under title II of the Act, the Department of Agriculture, in cooperation with the Department of the Interior, has initiated two salinity control projects, one in Grand Valley, Colorado, and one in the Uinta Basin of Utah. The Department of Agriculture is conducting these salinity control projects through the existing Soil Conservation Service technical assistance programs and the Agricultural Stabilization and Conservation Service agricultural conservation program.

The Soil Conservation Service assists landowners in planning and installing irrigation system improvements, such as concrete linings for ditches, pipelines, and water control structures and in planning better water management practices, such as regulating the length, time, and frequency of irrigation to avoid salinity build-up problems. The Agricultural Stabilization and Conservation Service assists landowners through the agricultural conservation program by sharing the costs of installing irrigation system improvements. The Bureau of Reclamation of the Department of Interior supports the Agriculture Department's onfarm improvements to irrigation systems and to water management by constructing and lining major and lateral canals. Since the Department of Agriculture began the Grand Valley project in 1979, the Soil Conservation Service has planned and applied 245 irrigation water management plans on 7,740 acres. In the Uinta Basin project, initiated in 1980, irrigation water management plans have been completed on 7,850 acres.

Both the Grand Valley and Uinta Basin projects have resulted in decreases in salt loading—the addition of salt to the river flow. In Grand Valley the salt load has been decreased at an amount that would result in a 2.43 milligrams of salt per liter of water reduction in salinity concentration at Imperial Dam; the Uinta Basin project has resulted in a possible 2075 milligrams of salt per liter of water reduction in salinity concentration.

In addition to the Grand Valley and Uinta Basin projects, the Department of Agriculture plans to implement onfarm salinity control programs in five other areas: Big Sandy, Wyoming; Moapa Valley, Nevada; Lower Gunnison and McElms Creek, Colorado; and Virgin Valley, in both Nevada and Arizona. When the seven projects are completed, the Department estimates that the salinity concentration at Imperial Dam will be reduced by 93.7 milligrams per liter.

The Department of Agriculture has tentatively scheduled three additional salt-source areas for planning to develop salinity control measures: Price-San Rafael, Utah; Upper Virgin River, Utah; and Mancos Valley, Colorado.

Need for Additional Legislation

While the Department of Agriculture has been able to make some progress with onfarm measures to reduce salinity concentration through the use of existing authorities, the Committee believes that a single, comprehensive legislative authority is necessary to effectively control the increasing concentration of salt in the Colorado River. Currently, a patchwork of authorities is being used by the Department of Agriculture to carry out the salinity control program: the Agricultural conservation program of the Agricultural Stabilization and Conservation Service for cost-sharing assistance, the conservation technical assistance and river basin programs of the Soil Conservation Service, and the information and education programs of the Extension Service. Each of these programs was authorized by Congress prior to the enactment of the 1974 Colorado River Basin Salinity Control Act to meet a variety of conservation needs. The Department of Agriculture has coordinated these programs to create a salinity control program, yet this patchwork approach limits the ability of the Department of Agriculture to effectively deal with salinity problems. The Committee believes that a single authority for the Department of Agriculture for salinity control will better enable the Department to address the unique and complicated problems of salinity control.

One of the limitations often cited as a hinderance to the effectiveness of the current salinity control program is the annual limitation on agricultural conservation program cost-sharing payments to one producer of $3,500. The agricultural conservation program is authorized by the Soil Conservation and Domestic Allotment Act. The $3,500 limitation on cost-sharing payments is contained in the annual Acts making appropriations for the program. (The statutory limitation of $3,500 per participant does not apply where participants from two or more farms or ranches join to carry out approved practices designed to conserve or improve the agricultural resources of the community. However, in the case of such pooling agreements, the Secretary imposes, by regulation, a cost-sharing limitation of $10,000 per participant.)

In the opinion of both the Department and the agricultural producers who testified before the Committee, the $3,500 maximum cost-sharing amount is not enough to cover the full cost-share needed for most irrigation and salinity control systems. The cost of an irrigation management system for 100 acres is between $60,000 and $80,000. The current cost-sharing restriction requires that irrigation work be

stretched out over several years, when the entire project could be completed in 1 year under more flexible cost-share rules. The Committee believes that a new authority without the cost-sharing limitation currently imposed under the agricultural conservation program will provide an additional incentive for producers to participate in the voluntary salinity control program and will better address the salinity and water conservation problems in the Basin area.

Another limitation on the Department's existing salinity control program is that agricultural conservation program cost-sharing funds may be awarded only to agricultural producers. Therefore, the Department may not contract with irrigation districts and canal companie s for cost-sharing irrigation system improvements. The bill will remove this restriction on cost-sharing with irrigation districts and canal companies. The ability to deal directly with irrigation districts and canal companies may offer a more effective solution for salinity problems.

H.R. 3903 will improve the management of the very limited water resources available in the Colorado River Basin. Water will be conserved and agricultural productivity will be improved through efficiencies in irrigation and water management. The benefits of an improved salinity control program inures to a range of industrial and municipal users. H.R. 3903 will benefit all persons in the United States and Mexico who use water drawn from the Colorado River.

COMMITTEE CONSIDERATION

Hearing

The Subcommittee on Soil and Water Conservation, Forestry, and Environment of the Committee on Agriculture, Nutrition, and Forestry held a hearing on Thursday, April 5, 1984, on S. 1842 and companion legislation, H.R. 3903. The hearing was chaired by Senator Roger Jepsen and by Senator Pete Wilson.

Senator William Armstrong, the sponsor of S. 1842, testified on the importance of the Colorado River's water quality to the seven States in the Colorado River Basin. He testified that the salinity concentration problem in the Colorado River was growing more and more serious, causing concern about the river as a health hazard and resulting in an estimated $100 million per year in damage to both agriculture and municipal and industrial water systems. In addition to domestic concerns over increasing salinity concentration, Senator Armstrong stated that he was interested in improving the relationship between the United States and Mexico by addressing the salinity problem.

In a discussion with Senator Jepsen on S. 1842, Senator Armstrong stated that existing authorities for the Department of Agriculture to conduct an onfarm salinity control program were inadequate to sufficiently address the basin's salinity control needs. He urged the Committee to act favorably on S. 1842.

Mr. Richard D. Siegel, Deputy Assistant Secretary for Natural Resources and Environment, testified on behalf of the United States Department of Agriculture. He stated that both legislative proposals, S. 1842 and H.R. 3903, were based on a proposal submitted by the Department of Agriculture.

Mr. Siegel explained the salinity concentration problem in the Colorado River and pointed out that irrigated agriculture is a primary contributor to the problem, accounting for approximately 37 percent of the salinity.

Mr. Siegel summarized the history of the relationship between the United States and Mexico regarding the Colorado River and explained the salinity control activities undertaken by the Department of Agriculture and the Department of the Interior since the passage of the Colorado River Basin Salinity Control Act in 1974.

Mr. Siegel testified that, in the 10 years that the Department has been involved in salinity control, it has determined that the existing statutory authority is not adequate to deal with the problem. Therefore, the Department of Agriculture is seeking legislation to combine the current fragmented salinity control effort into one program tailored to meet the needs in the Colorado River Basin area. Mr. Siegel specifically pointed out that the Department's inability to deal directly with and provide cost-sharing assistance to canal companies and irrigation districts hinders the effectiveness of the salinity control program. He further stated that the $3,500 annual limit on cost-sharing payments under the agricultural conservation program also retards the Department's efforts at salinity control.

Senator Jepsen questioned Mr. Siegel about the possibility of pressure from farmers in other areas of the United States who would continue to be bound by the $3,500 annual cost-sharing limitation under the agricultural conservation program. Mr. Siegel responded that the legislation sought by the Department was needed to address the unique water quality control problem of the Colorado River. Mr. Siegel also emphasized that participation in the salinity control program generates benefits for persons living or working downstream and that these benefits are not a primary factor in other departmental cost-sharing activities.

When asked if the new Colorado River salinity control program should have a cap placed on the amount of the cost-sharing payments, Mr. Siegel replied that a $50,000 limitation is currently in place in the rural clean water program and a similar limitation might be appropriate for individuals participating in the salinity control program. Mr. Siegel stated that no limitation should be applied, however, to irrigation districts or canal companies that represent a collective group of landowners.

Senator Jepsen questioned Mr. Siegel regarding the responsibility for maintenance of irrigation systems installed through participation in the salinity control program. Mr. Siegel assured Senator Jepsen that the bill requires maintenance of the irrigation system by the participant and that this duty will be a part of the contractual agreement between the Department and any program participant.

Mr. Robert Olsen, Acting Commissioner, Bureau of Reclamation, United States Department of the Interior, testified as to the Department of the Interior's activities under the Colorado River Basin Salinity Control Act. Mr. Olsen stated that two salinity control units were under construction in the Colorado River Basin area. Mr. Olsen commented on S. 752 and H.R. 2790, bills that would authorize the

Department of the Interior and the Department of Agriculture to undertake additional salinity control activities. He also highlighted the cost-effectiveness of the onfarm salinity control program of the Department of Agriculture. Mr. Olsen concluded his remarks by stating that the Department of the Interior and the Department of Agriculture have actively coordinated their efforts to address the Colorado River salinity problem and assured the members of the Committee that this coordination would continue.

In his questioning of Mr. Olsen, Senator Jepsen noted that the Special Task Force report on the special unit of the Central Valley project of the Bureau of Reclamation estimates that current practices for pricing of irrigation water in the Colorado River Basin amounts to a subsidy of $1,540 per acre and $1,100 per acre for the Central Valley project. Senator Jepsen asked Mr. Olsen if this subsidization of the cost of water discouraged conservation practices. Mr. Olsen responded that the demand for water in the Central Valley project exceeds supply and any conservation efforts provide for additional water supplies.

Mr. George High, Director, Office of Mexican Affairs, United States Department of State, emphasized the importance of the United States' relationship with Mexico and highlighted the excellent trade relationship that has developed between the United States and Mexico over the past several years. Though Mr. High did not comment on the substance of S. 1842 and H.R. 3903, he agreed with Mr. Siegel that it would be in this country's best long-term interest to address the salinity problem before it reached a crisis level with Mexico.

Mr. Jack A. Barnett, Executive Director, Colorado River Basin Salinity Control Forum, testified as to the importance of salinity control to the Colorado River Basin States and as to the active participation by those States in addressing the salinity problem. According to Mr. Barnett, farmer participation in installing irrigation systems was excellent and was a major factor in controlling salinity.

The next four witnesses appeared as a panel and represented the views of agricultural producers in the Colorado River Basin area. The witnesses were Mr. Lloyd Allen, President, Imperial Valley Irrigation District, E Centro, California; Mr. Garth Sorenson, representing the Uintah Basin Soil Conservation District, Roosevelt, Utah; Mr. John Porter representing the Montezuma Valley Irrigation Company System, Lewis, Colorado; and Mr. Don Schwindt, representing the Montezuma Valley Irrigation Company System, Cortez, Colorado.

Mr. Allen stated that quality water is vital to agricultural production in the Imperial Valley of California, a major source of winter fruits and vegetables for the United States. Mr. Sorenson stated that he had become interested in the salinity program due to low agricultural production on farms in his area of Utah. After installation of a sprinkler system, Mr. Sorenson stated that an improvement in agricultural production was evident. Mr. Sorenson testified that, if the agricultural conservation program cap of $3,500 per year was eliminated, more farmers and irrigation canal companies would become involved in salinity control projects, and therefore, more would be done to address the salinity problem.

Mr. Porter and Mr. Schwindt both testified that an improved onfarm program for salinity control would provide an incentive for farmers to manage their water resources.

Responding to a question from Senator Wilson, Mr. Allen explained that, under the current onfarm salinity program, concrete lined ditches and underground drainage lines had been installed on farms in Grand Valley, Colorado, for purposes of salinity control.

The final witness for the hearing was Mr. Charles L. Boothby, Executive Secretary, National Association of Conservation Districts. Mr. Boothby suggested two amendments to H.R. 3903 and S. 1842. The first suggested amendment would require the involvement of the local soil and water conservation district in the local development and implementation of any salinity control program undertaken under the bill. The second amendment suggested by Mr. Boothby would limit the maintenance requirement for any installed measure or structure to the useful life of the measure or structure.

Markup

The Committee met on Wednesday, May 16, 1984, to consider S. 1842 and H.R. 3903. Senator Wilson and Senator Hatch requested that the Committee act to report H.R. 3903, without amendment.

Senator Melcher raised a question as to whether the Commodity Credit Corporation is used by the Department of Agriculture to carry out other conservation programs and how the Commodity Credit Corporation would be used to carry out this salinity control program. The following letter was received from Mr. Everett Rank, Administrator of the Agricultural Stabilization and Conservation Service, Department of Agriculture, explaining the role of the Commodity Credit Corporation in the implementation of various conservation programs and describes how the Department would use the Commodity Credit Corporation to carry out this salinity control program.

U.S. DEPARTMENT OF AGRICULTURE,
AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE,
Washington, D.C., May 18, 1984.

Hon. JESSE HELMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HELMS: In response to your inquiry of May 17, this letter clarifies the role of the Commodity Credit Corporation in the administration of ASCS conservation programs.

A common provision in the authorizing legislation of ASCS conservation programs allows the Secretary of Agriculture to utilize the services, facilities and authorities of the Commodity Credit Corporation (CCC) for the purpose of making disbursements to participating producers. This provision further provides that no disbursement shall be made by the Corporation unless it has received funds sufficient to cover the payment from appropriations made available to the program.

Funds appropriated by the Congress for conservation programs are advanced to CCC so that checks can be written by the ASCS State and county offices to producers who complete approved conservation practices. The transferred funds, which are multi-year accounts, remain in CCC until expended. They are not used for any other purpose by the Corporation, nor does CCC benefit in any way from the use of such funds.

Technically the funds are transferred to CCC in a manner which retains the identity of the conservation account by program. Each trans-

fer is approved individually by the U.S. Treasury Department and separate accounting is maintained for each account.

While the ASCS method of disbursing Federal funds deviates from procedures normally used by government agencies, it allows more timely and effective delivery of program payments to farmers. Most agencies disburse funds for the programs they administer by submitting certified vouchers for payment to a Regional Disbursing Office of the U.S. Treasury Department. The disbursing officer then causes checks to be drawn on the Treasury of the United States to the designated payees and charges the amounts of such checks to the appropriation or fund account specified by the agency for which the disbursement was made. ASCS State and county offices, by using the authorities of CCC, have on-site check writing authority similar to that of the U.S. Treasury Department.

When H.R. 3903 becomes law and funds are appropriated for the Colorado River Salinity Control Program, ASCS will utilize CCC facilities in the same manner as it does for other conservation programs.

Sincerely,

EVERETT RANK,
Administrator.

Senator Jepsen asked that the Committee include language in the Committee report relating to the involvement of soil and water conservation districts in the planning and implementation of any salinity control program undertaken under the bill and clarifying that the responsibility for maintenance of any installed measure or structure does not extend beyond the useful life of the measure or structure. The Committee agreed to include such language.

After discussion, by voice vote, the Committee ordered H.R. 3903 reported to the Senate with a recommendation that it pass.

SECTION-BY-SECTION ANALYSIS

Section 1 authorizes the Secretary of Agriculture to establish a voluntary cooperative program with landowners to help control salinity in the Colorado River Basin. The purpose of this program is to (1) improve onfarm water management and (2) reduce watershed erosion on non-Federal lands and on lands under the control of the Department of Agriculture.

Section 2 outlines the activities that the Secretary may take to implement the program. Specifically, the Secretary may—

(1) identify salt-source areas and determine the sale load resulting from irrigation and watershed management practices;

(2) develop plans, in consultation with the public and affected governmental interests, for implementing measures to reduce the salt load of the Colorado River by improving onfarm irrigation water management, including improvement of related laterals, and by improving watershed erosion management practices. The measures are to include replacement of incidental wildlife values foregone as a result of constructing the salinity control improvements;

(3) in connection with the implementation of the plans, provide technical and cost-sharing assistance through contracts and agreements with individuals or groups of owners and operators of farms, ranches and other lands, or with local governmental and nongovernmental entities, such as irrigation districts and canal companies. A portion of the cost of implementing such plans must be shared by the participants on the basis of benefits received and other appropriate factors, as determined by the Secretary, and such contracts and agreements must provide for the continuing operation and maintenance of the measures installed under the plan without additional Federal cost-sharing; and

(4) provide continuing technical assistance for irrigation water management, provide for monitoring and evaluating changes in salt contribution to the Colorado River to determine program effectiveness, and carry out related research, demonstration, and education activities.

The Committee expects the Department of Agriculture to consult with and involve the local soil and water conservation district in the planning and implementation of any salinity control program undertaken under the bill on lands within the district. Also, the Committee does not intend that responsibility for the continued operation and maintenance of any structure or measure installed under the bill extend beyond the useful life of the structure or measure.

Section 3(a) provides that measures to be implemented in a particular salt-source area are to be described in reports made by the Secretary to the Agriculture and Appropriations Committees of the House and Senate, to the Advisory Council established under the Colorado River Basin Salinity Control Act (43 U.S.C. 1571 note), and to the Governor of any State affected by the measures.

Section 3(b) prohibits the expenditure of funds for implementation of the proposed measures until the expiration of 60 days after submission of the report of the Secretary.

Section 4 provides that the Secretary may use the existing agencies of the Department of Agriculture (including the services and facilities of the Commodity Corporation) to carry out the provisions of the bill. The Secretary may authorize these participating agencies to make grants to or to enter into cooperative agreements with conservation districts, local government agencies, colleges and universities, or others, using funds appropriated under the bill to carry out the activities specified in section 2.

Section 4 also authorizes appropriation of such funds as may be necessary to carry out the provisions of the bill, provides that such funds are to be available until expended, and prohibits the Commodity Credit Corporation from making any disbursements to carry out the provisions of the bill, except to the extent and in such amounts as have been appropriated in advance.

The Committee expects that the Commodity Credit Corporation will be used in the same manner as in other cost-sharing conservation programs, as specified in Mr. Rank's letter to Chairman Helms. (See supra.) The bill does not authorize the use of the Corporation's borrowing authority to carry out the program established under the bill.

Section 5 requires the Secretary to submit a report to Congress by January 1, 1988, and at each 5-year interval thereafter, containing an evaluation of the operation of the program established and carried out under the bill. This report may include recommendations for such additional legislation as may be necessary to solve any identical salinity problems. The report may also include recommendations to utilize new technology and research to solve these problems.

Section 6 provides that the bill shall be effective on October 1, 1984.

ADMINISTRATION VIEWS

On April 5, 1984, Mr. Richard D. Siegel, Deputy Assistant Secretary for Natural Resources and Environment, United States Department of Agriculture; Mr. Robert A. Olson, Acting Commissioner, Bureau of Reclamation, United States Department of the Interior; and Mr. George B. High, Director, Office of Mexican Affairs, United States Department of State, testified before the Subcommittee on Soil and Water Conservation, Forestry, and Environment on behalf of the Administration on H.R. 3903 and S. 1842, the Senate companion bill. The statements read as follows:

STATEMENT BY RICHARD D. SIEGEL, DEPUTY ASSISTANT SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT, U.S. DEPARTMENT OF AGRICULTURE, BEFORE THE SENATE SUBCOMMITTEE ON SOIL AND WATER CONSERVATION, FORESTRY, AND ENVIRONMENT OF THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY ON S. 1842 AND H.R. 3903, APRIL 5, 1984

Introduction

Mr. Chairman, and members of the subcommittee, I am Richard D. Siegel, Deputy Assistant Secretary for Natural Resources and Environment, U.S. Department of Agriculture (USDA). On behalf of USDA and Secretary Block, I am pleased to appear before your subcommittee to discuss the Administration's position on the bills being heard today.

Both S. 1842 and H.R. 3903 are legislative proposals submitted by the Department of Agriculture as Administration bills. We appreciate the House of Representatives acting upon H.R. 3903. We also appreciate this subcommittee's action in holding hearings on this important legislation.

Before commenting on the specifics, I would like to briefly explain the salinity problem and prior Federal efforts to address it.

The Salinity Problem

At the headwaters of the Colorado River in Colorado and Wyoming, salinity—the concentration of dissolved salt in water—averages about 50 milligrams per liter (mg/l). The 1982 USDA Annual Report on the Colorado River Basin Salinity Control Program showed that as the waters move down through the river system, salinity increases to an average annual concentration of 820 mg/l at Imperial Dam just north of Yuma, Arizona.

Most of that salinity in the river results from natural phenomena, such as erosion, sediment, and natural runoff from rangelands and non-agricultural mountainous areas. Yet manmade causes play an im-

portant part in the salinity problem. The intensive use of the river waters for a variety of purposes reduces the river's overall flow, so that downstream there is a higher ratio of salts to water.

One intensive use alone—irrigated agriculture—causes 37 percent of the salinity. Water that is used for irrigation evaporates in the fields, leaving residual salts. Irrigation return flows put the now saltier water back in the river. Other irrigation water percolates downward into the saline shale subsoil below the root zone. That groundwater picks up more salt in that layer as it drains toward the river.

Below Imperial Dam, in Southern Arizona, the principal agricultural cause of salinity has been the irrigation return flows from the Wellton Mohawk Irrigation and Drainage District. In the early 1960's, salinity concentrations where the river entered Mexico below Imperial Dam reached 1,300 mg/l.

Salinity affects agricultural water users in both the upper and lower Colorado River basin areas. Salinity in irrigation water drawn from the Colorado River has led to an increase in soil salinity, which eventually restricts the types of crops grown and suppresses crop yields. Agricultural producers then move to alternate crops of lesser cash value, such as barley, instead of fruits and vegetables. Where soil salinity becomes severe, fields or whole farms may lose all production potential.

In addition, salinity affects a broad range of municipal and industrial users of water supplies in the Colorado River Basin and the Los Angeles area. Major damage to municipal water supply systems is occurring in the Lower Colorado River region and in systems outside the drainage which receive diverted water. Salinity hardens the water, requiring increased use of soaps and detergents and raising water-softening costs. It causes corrosion and scaling of water pipes and heaters. It accelerates fabric wear. In industry, salinity damages include the need for water softening, demineralization, and in some cases, chlorination of cooling systems to eliminate corrosion and mineral deposits. In many cases, industries need to pretreat their processing waters for transporting, mixing, washing, and cooking operations. Salinity levels in cooling waters also affect the rate of scale formation on heated surfaces.

Prior Efforts of the Federal Government

The United States has had a long-term working relationship with Mexico with regard to the Colorado River. On February 3, 1944, the United States and Mexico signed the "Treaty for the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande." The treaty, commonly referred to as the Mexican Water Treaty of 1944, allotted to Mexico 1,500,000 acre-feet annually of the waters of of the Colorado River.

As irrigation developments in the United States portion of the basin expanded, water quality problems developed from increasing salinity, and Mexico protested. In 1972, the President named a special representative, former Attorney General Herbert Brownell, to develop a permanent, definitive solution to the salinity problem in the Colorado River.

As a result, Minute No. 242 of the International Boundary and Water Commission was developed and signed in 1973. Minute 242 provided

that the total dissolved solids (salts) in the Colorado River waters delivered to Mexico cannot exceed those of the U.S. waters diverted from the river at Imperial Dam near Yuma, Arizona, by more than 115 PPM ±30. Since the adoption of Minute No. 242, the quality of waters delivered to Mexico has consistently been in compliance with the standard.

In 1974, Congress enacted the Colorado River Basin Salinity Control Act, Public Law 93–320. Title I deals with maintaining appropriate salinity levels for Colorado River flows to Mexico below Imperial Dam. Among other measures, it authorizes an onfarm salinity control project for the Wellton-Mohawk Irrigation and Drainage District. Title II of the Act assigned the responsibility for salinity control projects above Imperial Dam to both USDA and to USDI. The Act directed the Secretary of the Interior, working with USDA and the Environmental Protection Agency (EPA), to investigate, plan, design, and install certain authorized projects that would address salinity problems in the Colorado River Basin. The two projects initiated so far under Title II by USDA are in Grand Valley, Colorado, and in the Uinta Basin, Utah. The Act instructs the Secretary of Agriculture to use existing USDA authorities and programs when it cooperates with USDI and EPA in these salinity control projects.

Through the Bureau of Reclamation, USDI has contained to plan and implement salinity control projects for various point and diffuse sources and irrigation sources of salinity. In units established to control salinity from irrigation, the Bureau concentrates on off-farm efforts, such as lining primary canal and lateral delivery systems. USDA concentrates upon onfarm improvements to irrigation systems and to water management.

The work authorized by P.L. 93–320 has a close connection with the Clean Water Act of 1972, P.L. 92–500. The Clean Water Act programs and authorities have been used since 1970 to address water quality in the Colorado River. The seven basin States have jointly agreed that salinity is a basinwide problem and developed mainstream standards for the river with the approval of EPA. USDA, USDI, and EPA have cooperated with the seven basin States under both these laws.

USDA Involvement

Through agencies such as the Soil Conservation Service (SCS), Agricultural Research Service (ARS), Extension Service (ES), Cooperative State Research Service (CSRS), and Agricultural Stabilization and Conservation Service (ASCS), USDA has played a major role since 1974 in formulating, developing, and implementing an effective approach to reducing salt loads contributed to the Colorado River from onfarm irrigated agricultural croplands and related farm laterals and irrigation canals. Since 1979 SCS and ASCS have been supporting the Grand Valley and Uinta Basin projects through onfarm technical assistance and cost-sharing funds, respectively. In the Grand Valley Stage I project area, the Bureau of Reclamation has planned and installed its first major canal and lateral lining improvements for salinity control, and USDA has coordinated its onfarm assistance with the Bureau's work.

In addition, USDA has conducted salinity control studies, research, and demonstration and education activities.

SCS has conducted detailed salinity control studies on priority irrigation salt source areas within the river basin. Within the 17 iden-

tified salt source areas, there are approximately 1 million acres of irrigated cropland. Plans have been completed for seven different project areas, totaling over 500,000 acres in five States. As we have noted, two projects are already underway in Grand Valley (Colorado) and Uinta Basin (Utah). In 1983, SCS estimated the average salt load reduction to be 26,437 tons per year for the Uinta Basin and 23,300 tons for the Grand Valley.

The rest of the area planned are Big Sandy (Wyoming), Moapa Valley (Nevada), Lower Gunnison and McElmo Creek (Colorado), and Virgin Valley (Nevada, Arizona). The seven, when fully implemented, would reduce average annual salt loads by a total of 750,000 tons. This would reduce concentrations at Imperial Dam by an estimated 93.7 mg/l.

Three more salt source areas are slated for planning: Price-San Rafael (Utah), Upper Virgin River (Utah), and Mancos Valley (Colorado). They would bring the total salt reduction to 898,000 tons per year. These projects would cost USDA $369.7 million to complete by the year 2000.

These studies and the on-ground experience so far have demonstrated clearly that the long-term objective of substantial salt load reduction requires a combination of structures and onfarm practices. Coordination between USDA and USDI must be maintained. Neither agency working alone can ensure an adequate reduction in salinity.

Need for New Legislation

While USDA has been able to make some progress with onfarm measures to reduce sale loads by using its existing fragmented program authorities, this will be an unwiedly framework for dealing effectively in the future with salinity control. The Department lacks a single legislative authority to provide financial assistance, technical assistance, and education. Instead, the USDA must use separate authorities in combination: The Agricultural Conservation Program (ACP) for cost-sharing assistance, the Conservation Technical Assistance and the River Basis programs of the Soil Conservation Service, and the information and education programs of the Extension Service. Each of these separate programs operates with its own restrictions. Each program is funded by its agency on a separate scale of priorities. Each program was authorized by Congress to accomplish specific objectives prior to the passage of the 1974 Colorado River Basin Salinity Control Act.

These separate programs, with their varied restrictions and purposes, are not well suited for dealing with the unique and complicated problems of multi-State salinity control requiring interagency and interdepartmental cooperation. Thus, the Department badly needs a single Colorado River salinity control line item that would allow for greater program balance and efficiency.

One example of present limitations is that ACP funds by law may be awarded only to agricultural producers. Thus the ACP has no authority to cost share with irrigation districts, canal companies, or other entities. Yet direct dealings with irrigation districts in some areas may offer the most effective solution for salinity problems.

Another limitation is the current cap on annual ACP payments to one producer of $3,500. This maximum is not enough to cover the full cost-share needed on most irrigation and salinity control systems. It

forces work to be stretched out over several years, when the whole job could be completed in one year under more flexible cost-share rules. This leads to duplication of effort, higher cost, and delayed benefits. If a landowner wants to do work in one season, he is put into the position of financing the bulk of it himself and then waiting year-by-year for his cost-share payments.

President Reagan's budget for USDA for fiscal year 1984 requested $12.5 million for onfarm salinity control in a single separate account. Since no authorizing legislation was in place, the Appropriation Committees did not act on this request. The Administration has submitted a similar budget request for FY 1985, which also will depend upon authorizing legislation. Either S. 1842 or H.R. 3903, now before this subcommittee, would provide the authority USDA needs.

S. 1842 and H.R. 3903 Differences

Both bills include the same basic components for a voluntary, cooperative program for onfarm salinity control within the Colorado River Basin. H.R. 3903 is written as separate and free-standing legislation with no referenct to the existing programs authorized in P.L. 93–320. S. 1842, on the other hand, amends P.L. 93–320, the original Colorado River Salinity Control Act of 1974. It redesignates and renumbers parts of P.L. 93–320; strikes language referring to the USDA onfarm programs in Grand Valley; and clarifies the scope of several subsections.

S. 1842 has an effective date of October 1, 1983, and H.R. 3903, as passed by the House, has an effective date of October 1, 1984.

Similarities in S. 1842 and H.R. 3903

All other components which authorize the salinity control program are nearly identical in both bills. Under both bills, the Secretary of Agriculture is authorized to: (1) identify salt source areas and loadings; (2) develop implementation plans; (3) prepare technical assistance and cost sharing for salinity control; (4) prepare and distribute USDA salinity reports; (5) provide irrigation water management; research, demonstration, and education assistance; and (6) develop and implement monitoring and evaluation plans to determine program effectiveness. Both bills authorize the use of existing agencies, including the Commodity Credit Corporation, and the authority to use grants and cooperative agreements to carry out activities of the program. Both bills also provide for periodic progress reports to Congress beginning January 1, 1988. These broadened authorities allow much greater flexibility in developing and administering the broad aspects of the program. Restrictive procedures and limitations of existing program authorities can be overcome with this legislation. This will enable USDA to administer a more efficient and effective salinity program.

Suggested amendment

While USDA recognizes S. 1842 and H.R. 3903 as Administration bills, the Department does wish to offer one minor amendment for S. 1842. On page 2, line 6, the word "private" preceding "landowners" should be deleted. The bill is intended to apply to "nonfederal lands" under both public and private ownership. The term private also conflicts with the term "local governmental and nongovernmental entities" on page 3, lines 5 and 6. This amendment has already been made in H.R. 3903 approved by the House.

Conclusion

Since 1974, the Colorado River Salinity Control Program has become increasingly important. Regional, national, and international benefits would be achieved through this program. The United States has a commitment to Mexico regarding salinity concentration levels, in Minute 242 of the International Boundary and Water Commission.

Enactment of H.R. 3903 or S. 1842 would help make better use of the very limited water resources available in the water-short Colorado River Basin. Water will be conserved through improved irrigation and water management. Agricultural productivity will be improved by better irrigation and reduced salinity in waters used for irrigation. Water quality will improve by reducing the deep percolation of water on farms that causes so much salinity. Thus, benefits from a stronger salinity program will affect both water quantity and quality.

Mr. Chairman, we strongly support the enactment of H.R. 3903 in its current form, or enactment of S. 1842 with the suggested amendment. Either of these bills would provide the legislative authority needed in support of the Administration's fiscal year 1985 budget request.

This concludes my prepared statement, Mr. Chairman. I will be happy to answer your questions.

STATEMENT OF ROBERT A. OLSON, ACTING COMMISSIONER OF THE BUREAU OF RECLAMATION, DEPARTMENT OF THE INTERIOR BEFORE THE SENATE SUBCOMMITTEE ON SOIL AND WATER CONSERVATION, FORESTRY AND ENVIRONMENT OF THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY ON S. 1842 AND H.R. 3903 TO AUTHORIZE THE SECRETARY OF AGRICULTURE TO DEVELOP AND IMPLEMENT A COORDINATED AGRICULTURE CONSERVATION PROGRAM IN THE COLORADO RIVER BASIN

APRIL 5, 1984.

Mr. Chairman, members of the Subcommittee, on behalf of the Department of the Interior, I am pleased to appear here today to comment on S. 1842 and H.R. 3903 which would authorize the Secretary of Agriculture to develop and implement a coordinated agricultural conservation program in the Colorado River Basin.

We support these bills and the efforts of the Department of Agriculture to develop a legislative proposal that will help avoid a deteriorating salinity level of the Colorado River. This legislation would authorize the Secretary of Agriculture to establish a separate onfarm salinity control program within the Department of Agriculture including source identification, plan development, technical and cost sharing assistance, irrigation water management and, monitoring and related research demonstration and educational activities.

Title II of the Colorado River Basin Salinity Control Act (P.L. 93–320) implemented water quality measures for meeting Colorado River salinity standards that were approved by EPA and adopted by the basin States. It authorized construction of four salinity control units and directed the Secretary of the Interior to expedite planning studies on 12 additional units. Two of the authorized control units (Paradox Valley and Grand Valley) are currently under construction by the Bureau of Reclamation along with the Pittman Bypass portion of the Las Vegas Wash Unit. The balance of the Las Vegas Wash Unit is being reformulated and the Crystal Geyser Unit

has been deferred because of unacceptable cost effectiveness. Public Law 96–375, signed into law October 10, 1980, provided feasibility authorization for 10 of the expidited planning studies.

Other pending bills (S. 752 and H.R. 2790) would provide, among other things, for construction authorization for 6 of the units under study. These units are the Lower Gunnison, McElmo Creek, Uinta Basin, Palo Verde Irrigation District, Saline Water Use and Disposal Opportunities, and Sinbad Valley Units. In testimony before Senate and House committees, we have requested amendments to these bills which would enable us to support their enactment.

The Department recognizes the pervasive salinity problem on the Colorado River and we welcome the introduction of these bills as a serious attempt to help remedy deficiencies in the existing program which have constrained the Department of Agriculture participation.

I might mention that as our studies of additional salinity control units for the Colorado River Basin have progressed over the past 9 years, the attractiveness of the Department of Agriculture's on-farm program for improving irrigation efficiency have become more apparent. This program has been proven to be one of the most cost-effective salinity control activities available. We defer to the Department of Agriculture for further comment and recommendations on these actions.

S. 1842 and H.R. 3903 are similar to section (7) of H.R. 2790 and section (8) of S. 752, the concepts of which we also support. The main differences between the bills we are discussing today and H.R. 2790 and S. 752 are as follows:

1. H.R. 2790, S. 752 and S. 1842 would amend P.L. 93–320 and H.R. 3903 stands alone to direct the Department of Agriculture to establish an onfarm salinity control program.

2. S. 1842 and H.R. 3903 would establish a program that is similar to the normal program development process of the Department of Agriculture. H.R. 2790 and S. 752 include additional cost-sharing language not included in S. 1842 and H.R. 3903 that provides for repayment from Colorado River Basin revenues of the 25 percent non-Federal share of the salinity control program without interest over a period not to exceed 50 years. This repayment would be over and above costs borne directly by non-Federal entities, which would be determined on an incentive basis by the Secretary of Agriculture. We have recommended amendments to H.R. 2790 and S. 752 to either provide for an interest charge on this 25 percent repayment, or to raise the repayment to 50 percent of capital costs without interest.

The Colorado River Salinity Control Program has been actively coordinated between the Departments of Agriculture and Interior since its inception. To insure the continuation of an appropriate level of coordination we recently met with Department of Agriculture officials. We will review and possiby expand memorandums of agreement and will designate representatives to coordinate salinity activities.

We look forward to working with the Subcommittee in any way we can to develop cost-effective approaches for achieving the objectives of the salinity control program.

Mr. Chairman that concludes my statements. I would be pleased to answer any questions.

STATEMENT OF MR. GEORGE B. HIGH, DIRECTOR, OFFICE OF MEXICAN AFFAIRS, DEPARTMENT OF STATE, BEFORE THE SUBCOMMITTEE ON SOIL AND WATER CONSERVATION, FORESTRY, AND ENVIRONMENT OF THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY, UNITED STATES SENATE, WASHINGTON, D.C., APRIL 5, 1984 (S. 1842 AND H.R. 3903)

Mr. Chairman, members of the Subcommittee, I am grateful for this opportunity to appear here today to express the Department of State's views on S. 1842 and H.R. 3903. I will comment on the relationship of foreign policy to these bills, on the current state of our relations with Mexico, and on the views of the United States Section of the International Boundary and Water Commission (IBWC). I am accompanied by Mr. Paul E. Storing, Special Assistant of the U.S. Section of the IBWC.

This administration places the greatest value on developing close and friendly relations with our nearest neighbors. High level contacts between leaders of Mexico and the United States have been intense. President de la Madrid and President Reagan met last at La Paz, Baja California Sur, in August 1984 and we expect they will meet again soon here in Washington.

As a result of this intensive attention, our relationship with Mexico is good. Three years ago, Mexico jumped from our fifth to third largest trading partner. Bilateral trade was 27 billion dollars in 1982 and about 26 billion dollars in 1983. If it weren't for Mexico's continuing economic problems, the figures for 1982 and 1983 would, undoubtedly, have been much higher. We purchase almost 60 percent of Mexico's exports. Mexico, during good times, purchases about 6 per cent of our exports. Mexico sells us about 50 percent of all the oil at exports. In 1983 nearly a quarter of our crude oil imports came from Mexico. That country is now our largest foreign supplier of oil.

While we have had differences with Mexico on some issues—trade, for example, and precisely how to obtain peace in Central America, we have maintained an active and useful dialogue to work on these issues and to seek new opportunities for cooperation.

When Mexico's economic difficulties reached a peak in August 1982, the United States was of assistance to its neighbor in many ways. We made an advance payment on petroleum purchases, provided financial assistance, and helped secure loans for Mexico. We did this because we want and need Mexico to be a strong, free and prosperous neighbor.

In the same spirit of cooperation and in recognition of our two countries' interdependence, we worked together with Mexico just over a decade ago and resolved the serious bilateral problem of salinity of the Colorado River as it flows into Mexico. I agree with the statement of the United States Commissioner to the IBWC in his 1979 testimony in an appropriation hearing on Title I of the 1974 Colorado River Basin Salinity Control Act, that ". . . the salinity issue with Mexico was the most serious issue to have beset our relations with that country in more than three decades."

The Department and the U.S. Section of the IBWC understand, Mr. Chairman, that S. 1841 and H.R. 3903 would authorize the Secretary of Agriculture to develop and implement a coordinated agricultural conservation program in the Colorado River Basin. In the case of S. 1842 this would be done through amendment to the Colorado River Basin Salinity Control Act. H.R. 3903 proposes to authorize

the program by separate, self-standing legislation. The objective of the program is to enhance the supply and quality of water in the Colorado River for delivery to downstream users.

Let me note at the outset that the Federal Government's participation in the Title II program is not required for the United States to meet its commitments under the Agreement with Mexico of August 30, 1973 for a solution to the international problem of the salinity of the lower Colorado River. At the hearings held prior to the approval of the Colorado River Basin Salinity Control Act, the Department and the U.S. Section supported Title I—the programs downstream from Imperial Dam—to enable the United States to comply with its obligations to Mexico under the 1973 Colorado River Salinity Agreement.

Mr. Chairman, we agree with the intent of these bills. However, neither the Department of State nor the U.S. Section is qualified or empowered to comment on the detailed matters of domestic concern contained in these bills, such as the manner of procedures, monitoring, and cost sharing proposed to achieve the bills' objectives. On those matters we defer to the Department of Agriculture and the Department of the Interior.

COST ESTIMATE

I.

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee estimates that the enactment of H.R. 3903 would result in outlays by the Federal Government of approximately $4 million in fiscal year 1985, increasing to $14 million in fiscal year 1989. This estimate is based on anticipated appropriations of approximately $13 million, adjusted for inflation, for each of the fiscal years 1985 through 1899.

II.

In accordance with the Congressional Budget Act of 1974, the Congressional Budget Office prepared the following cost estimate, which is consistent with the Committee's estimate:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., May 23, 1984.

Hon. JESSE A. HELMS,
Chairman, Committee on Agriculture, Nutrition, and Forestry,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for H.R. 3903, a bill to authorize the Secretary of Agriculture to develop and implement a coordinated agricultural conservation program in the Colorado River Basin.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ERIC HANUSHEK
(For Rudolph G. Penner, Director).

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

MAY 23, 1984.

1. Bill number: H.R. 3903.

2. Bill title: A bill to authorize the Secretary of Agriculture to develop and implement a coordinated agricultural conservation program in the Colorado River Basin.

3. Bill status: As ordered reported by the Senate Committee on Agriculture, Nutrition, and Forestry, May 16, 1984.

4. Bill purpose: This bill authorizes the Secretary of Agriculture to establish a voluntary, cooperative program with landowners to control salinity in the Colorado River Basin. The Secretary's activities may include identifying salt source areas, developing plans to reduce the Colorado River's salt load, providing technical and cost-sharing assistance to program participants, and performing research, demonstration, and education activities. The Secretary is directed to issue reports describing proposed salt-reduction measures and is prohibited from implementing a proposed measure until 60 days after submitting a report describing that measure. Beginning with fiscal year 1985, the bill authorizes annual appropriations in the amount necessary to implement the salinity control program.

5. Estimated cost to the Federal Government:

	Millions
Estimated authorization level:	
Fiscal year:	
1985	$13
1986	13
1987	14
1988	15
1989	15
Estimated outlays:	
Fiscal year:	
1985	4
1986	8
1987	11
1988	13
1989	14

The costs of this bill fall within budget function 300.

Basis of estimate: The Administration requested appropriations for fiscal year 1985 of approximately $13 million for this program. Based on information from the Soil Conservation Service (SCS), annual appropriations of $13 million, adjusted for inflation, would be sufficient to implement the salt-reduction program. Outlays were estimated based on information from the SCS.

6. Estimated cost to State and local governments: CBO estimates that implementing H.R. 3903 would not result in significant additional costs to state and local governments.

7. Estimate comparison: None.

8. Previous CBO estimate: On November 10, 1983, the Congressional Budget Office prepared a cost estimate for H.R. 3903, as ordered reported by the House Committee on Agriculture on November 8, 1983. The estimated cost of the two versions of the bill is the same.

9. Estimate prepared by: Deb Reis.

10. Estimate approved by C. G. Nuckols for James L. Blum, Assistant Director for Budget Analysis.

REGULATORY IMPACT STATEMENT

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact that would be incurred in carrying out H.R. 3903.

Impact on Individuals and Businesses

H.R. 3903 authorizes the Secretary of Agriculture to develop and implement a coordinated agricultural program in the Colorado River Basin for the control of salinity in the waters of the Colorado River. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals or businesses. While there will be appropriate rules and regulations promulgated for the administration of the program authorized in H.R. 3903, program participation will be cooperative and voluntary. There will be no compliance standards or regulatory enforcement provisions for those individuals or businesses who do not choose to participate in the program.

The agricultural producers that participate in the salinity control program will be subject to the program's provisions. The provisions will include water management development and salinity control plans, contractual cost-share agreements, and program operation and maintenance requirements. The Secretary estimates that over 6,000 agricultural producers may participate in the program in approximately 10 different salt-source areas.

Irrigation districts and canal companies will also be eligible to participate in the voluntary salinity control program. However, the Secretary has not estimated the number of these potential participants.

Economic Impact

H.R. 3903 will have no adverse impact on the economy. The adverse effects of increased salinity levels in the Colorado River are (1) reduced agricultural productivity, and (2) increased municipal, industrial, and household damage to downstream water users. Controlling salinity levels in the Colorado River will ameliorate these adverse effects.

Implementation of the program will necessitate Federal expenditures. However, individual participants will be required to pay their fair share of the cost, consistent with the degree of estimated on-site and off-site benefits, as determined by the Secretary. There should be no economic hardship stemming from the implementation of the program.

Impact on the Personal Privacy of Individuals

H.R. 3903 will not increase government intrusion into the personal privacy of the program participants. The agencies responsible for implementation of the program will share information as to the eligibility of the participants, as to their compliance with the provisions of the program, and as to the maximum Federal cost-share levels established. This information is currently shared under existing Department of Agriculture programs. This information sharing activity should not increase beyond the levels currently established within the Department.

ADDITIONAL VIEWS OF MR. HATCH

I would simply like to include for the record, correspondence from the U.S. Department of Agriculture indicating that this legislation is not anticipated, nor intended, to interfere with existing conservation programs.

I believe it is important that each State involved in this project be assured that the implementation of a salinity control program will not compromise other conservation activities carried on within the State. The Department of Agriculture has assured me that this is the case.

The above-referred to correspondence from the Department of Agriculture follows:

ORRIN HATCH.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., May 1, 1984.

Hon. ORRIN HATCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HATCH: Thank you for your letter of April 18, 1984, enclosing several questions regarding S. 1842 and H.R. 3903—legislation to allow the Secretary of Agriculture to conduct a coordinated, voluntary, on-farm salinity program.

We are pleased to provide the enclosed responses to your questions for your use at the markup of this legislation scheduled for the week of April 30, 1984.

Sincerely,

JOHN B. CROWELL, Jr.,
Assistant Secretary for
Natural Resources and Environment.

Enclosure.

USDA'S ANSWERS TO SENATOR ORRIN G. HATCH'S QUESTIONS ON S. 1842 AND H.R. 3903

1. It is my understanding that the historical level of the Imperial Dam is approximately 850 milligrams per liter. How will the enactment of this legislation effect this level?

Colorado River salinity concentrations at the Imperial Dam have been approximately 825 milligrams per liter (mg/l) in recent years. These levels are projected to increase to approximately 1,100 mg/l by the year 2000 without further upstream salinity control. This legislation, if enacted, would provide a more efficient vehicle for implementing USDA on-farm salinity control programs. By the year 2000, the projected USDA program will reduce salinity levels by approximately 100 mg/l at the Imperial Dam.

2. How many farmers have signed up for the program to date in both the Grand Valley and Uinta Basin projects? Does the "demand" exceed the "supply"?

In the Uinta Basin, 433 participants on 61,590 acres have requested assistance since 1980. In the Grand Valley, where the program runs almost exclusively on individual annual requests, there have been over 1,600 requests since 1979. Based upon current funding levels and program restrictions, demands currently exceed the supply of cost-shared funds. However, more salinity control can be accomplished if current restrictions are lifted and funding would be increased.

3. Will the enactment of this program require the involvement of additional personnel at the current on-farm program sites? If so, how many and where will they come from? Will they be transferred from other areas of the state and/or country?

As evidenced by the Uinta Basin and Grand Valley projects, technical assistance personnel requirements are approximately eight man-years per $1 million of cost-shared funds. New authorities will likely reduce this need because of efficiencies in administering the program and the ability to increase cost shares with individuals, irrigation districts, and canal companies. If additional personnel are needed, they will be provided through new employees, other States, and within individual States. Grants or cooperative agreements may be used for obtaining personnel.

4. What guarantees do the states have that current SCS activities will be maintained and not sacrificed as funding for the salinity program is increased? Particularly in light of SCS personnel ceilings?

It is not intended for the program to take personnel from existing conservation technical assistance programs. Most personnel decreases in recent years can be atributed to decreased funding, inflationary costs, and the establishment of full-time equivalent (FTE) personnel limitations. USDA recognizes the concerns in staffing existing programs and will take the increased personnel demands into consideration when establishing FTE personnel limitations in those States with the Colorado River Basin Salinity Control Program.

5. How many personnel are currently working on the Uinta Basin and Grand Valley projects. Where were those individuals transferred from?

SCS personnel assigned to the Uinta Basin totals 25. In Grand Valley, personnel total 23. Some of these employees initially came from within the respective States when the program began in 1979. Since then, some of the personnel were employed specifically for the program and some were transferred from other States.

6. Has the SCS capability dropped in any areas where a transfer has occurred in either Colorado and/or Utah?

Some of the technical capability was dropped when existing employees were reassigned to the Colorado River Basin Salinity Control Program. In many cases these personnel positions would have been eliminated otherwise because of decreased overall funding levels for that State. Every attempt is made to minimize the overall State-wide impact of employee transfers and reassignments.

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